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OCT 27 2006

REMARKS

In this response, Claim 8 has been added. Claims 1-8 are pending in the application.

Applicants acknowledge with appreciation the courtesy of a interview extended by Examiner Daye and Examiner Gaffin to Richard Hartman (inventor) and attorney Scott Richardson on October 25, 2006.

As agreed during the interview with Examiner Daye and Examiner Gaffin, and documented in the Interview Summary, Applicants will submit a Terminal Disclaimer to overcome the obviousness-type double patenting rejection.

As agreed during the interview with Examiner Daye and Examiner Gaffin, and documented in the Interview Summary, an EPS format has been added within new Claim 8 to overcome the 35 USC §102(e) rejection in view of U.S. Patent 5,832,497 ("Taylor").

During the Interview, Applicants discussed patentably distinct features of the claimed invention that are neither disclosed nor suggested by the prior art references of record. For example, the claims recite "résumé graphic files which maintain the appearance, format information, and font information of original documents".

"Appearance"

The term "appearance" as recited in the claims includes the overall visual presentation: the specific characters, illustrations, letter shapes, word wrapping and line breaks, and other details which might be collectively described as what the original document "looks like". Fields of text may preserve the character choices, but they cannot maintain other important attributes such as boldface, italics, underlining, and variations in character sizes which convey significant meaning within original documents. An example cited during the interview was to cut-and-paste the contents of a richly organized Microsoft Word document into an HTML text field; the result will be plain text and the loss of any bolding,

italics, underlining, variation in character sizes, and other important visual attributes. Thus fields of text are not sufficient to preserve an original document's appearance.

"Format Information"

The term "format information" as recited in the claims includes the instructions for an original document's organization and physical arrangement. Format information can include the placement of characters or words or paragraphs, the alignment of related elements (such as tables), and whitespace distances such as margins or headers or footers. Such format information can be absolute or relative to reference points on the original pages. An example cited during the interview was Corel WordPerfect's "show codes" feature, which reveals the formatting data embedded in the original file. Fields of text display characters only, and thus cannot maintain the original file's actual format information.

"Font Information"

The term "font information" as recited in the claims includes the font selection and attributes for the characters within the original document. The "look" of a font is just one of its attributes. Other examples cited during the interview included the font's name, bolding instructions, kerning/spacing data, internationalization codes, stroke weight, and rendering hints. Fields of text display characters only, and thus cannot maintain the original file's actual font information.

Taylor Involves Only Fields of Text

In contrast to the "appearance, format information, and font information" as recited in the claims, Taylor recites "the fields in a résumé record may be populated through use of a form presented to the user" (Col. 5, lines 38-40). Thus Taylor involves a résumé input form with fields of text. Taylor does not disclose nor suggest any input method for the appearance, format information, and font information recited in the claims.

Regarding its database, Taylor recites "The résumé records will advantageously include fields specifying name, address, telephone number, E-mail address and narrative fields" (Col. 5, lines 32-38). Thus Taylor explicitly involves a traditional computer database whose records store multiple, discrete fields of categorized text data. Taylor does not disclose nor suggest storing the appearance, format information, and font information recited in the claims.

Taylor "passes information for the fields of the specified base from the user's computer through the communication port into the selected database record" (Col. 5, lines 27-29). Taylor is explicit: Separate, discrete fields of categorized text are received from the user's computer, and then stored in the multiple categorized fields of Taylor's database.

Taylor specifically requires any modifications to its database to be "logically equivalent" to the "file, record, and field structures described herein" (Col. 5, lines 64-66). As explained above, Taylor's field-based database is not compatible with the appearance, format information, and font information recited in the claims. By explicitly prohibiting everything but "logically equivalent" databases, Taylor teaches away from the appearance, format information, and font information recited in the claims.

Taylor optionally permits transmission of its "resume records" via "facsimile" (Col. 5, lines 10-11). However, Taylor can only transmit what it accepts as input and stores in its database: fields of text. Therefore, Taylor's "facsimile" output can only be Taylor's fields of text – and not the appearance, format information, and font information recited in the claims.

Summary

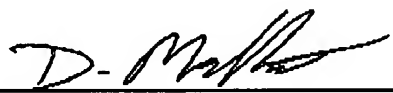
Claims 1-8 are believed to be patentably distinct and allowable over the art cited in the record.

With filing of the Terminal Disclaimer, the application is believed to be in a condition for allowance per the agreement reached with Examiner Daye and Examiner Gaffin. An early notice of allowance is earnestly solicited.

The undersigned is available for telephone consultation at any time.

Respectfully submitted,

Dated: Oct. 27, 2006

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